

DISMISSED, JUDGMT, APPEAL

**U.S. Bankruptcy Court
Middle District of Alabama (Opelika)
Adversary Proceeding #: 04-08006
Internal Use Only**

Assigned to: Dwight H. Williams Jr.

Related BK Case: 04-80326

Related BK Title: Scott Alan Mann and Deanna
Lee Mann

Date Filed: 06/07/04

Date Dismissed: 05/05/2005

Demand: \$36000

Nature of Suit: 426(Dischargeability 523)

Plaintiff

Larry Duvall

represented by **Douglas A. Dellaccio**
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LEAD ATTORNEY

V.

Defendant

Scott Alan Mann
2338 Lee Road 119

represented by **Charles M. Ingram, Sr.**
Charles M. Ingram, Attorney At

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Deanna Lee Mann

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represented by

Charles M. Ingram, Sr.






(See above for address)
LEAD ATTORNEY

Charles-AMR M. Ingram, Sr.

(See above for address)

**Charles-MLW M. Ingram,
Sr.**

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Filing Date	#	Docket Text
06/07/2004	 <u>1</u>	426 (Dischargeability 523): Complaint against Scott Alan Mann , Deanna Lee Mann . Receipt Number 04002610, Fee Amount \$150. Filed by Douglas A. Dellaccio on behalf of Larry Duvall . (Attachments: # <u>1</u> Summons# <u>2</u> Summons) (CBS,) Modified receipt on 6/7/2004 (CBS,). Additional attachment(s) added on 6/8/2004 (DH,). (Entered: 06/07/2004)
06/08/2004		Attorney Charles M. Ingram, Sr. for Deanna Lee Mann and Scott Alan Mann added to case. (DS,) (Entered: 06/08/2004)
06/08/2004	 <u>2</u>	Summons Issued on Deanna Lee Mann Date Issued 6/8/2004, Answer Due 7/8/2004; Scott Alan Mann Date Issued 6/8/2004, Answer Due 7/8/2004. (DS,) (Entered: 06/08/2004)
06/10/2004	 <u>3</u>	BNC Certificate of Service - See Image Attached - (RE: related document(s) <u>2</u> Summons Issued). No. of Notices: 1. Service Date 06/10/2004. (Admin.) (Entered: 06/11/2004)
06/15/2004		Flags Set-Reset (Removed AwCAact21 flag) (CO,) (Entered: 06/15/2004)
06/25/2004	 <u>4</u>	Summons Service Executed on Deanna Lee Mann 6/25/2004; Scott Alan Mann 6/25/2004 by Douglas A. Dellacio.. (CO,) (Entered: 06/25/2004)
07/16/2004	 <u>5</u>	Answer to Complaint Filed by Charles-TLP M. Ingram, Sr. on behalf of Deanna Lee Mann, Scott Alan Mann. (Ingram, Sr., Charles-TLP) (Entered: 07/16/2004)

		07/16/2004)
07/19/2004	● <u>6</u>	Order Setting Status Conference (RE: related document(s) <u>1</u> Complaint, filed by Plaintiff Larry Duvall). Status hearing to be held on 8/16/2004 at 10:15 AM at Telephone Hearing. (LO,) (Entered: 07/19/2004)
07/21/2004	● <u>7</u>	BNC Certificate of Service - See Image Attached - (RE: related document(s) <u>6</u> Hearing (Adv)). No. of Notices: 2. Service Date 07/21/2004. (Admin.) (Entered: 07/22/2004)
08/23/2004	● <u>8</u>	Order Setting Trial Date/Scheduling Order Entered On 8/23/2004. Dispositive Pretrial Motions due by 11/30/2004. Pretrial Disclosures due by 3/30/2005. List Disclosing Objections To The Use of Depositions or Admissibility of Exhibits due by 4/6/2005. Discovery due by 11/16/2004. Trial date set for 4/13/2005 at 09:00 AM at Opelika Federal Courthouse, U.S. Bankruptcy Court. (CO,) (Entered: 08/23/2004)
08/25/2004	● <u>9</u>	BNC Certificate of Service - See Image Attached - (RE: related document(s) <u>8</u> Scheduling Order,). No. of Notices: 2. Service Date 08/25/2004. (Admin.) (Entered: 08/26/2004)
11/16/2004	● <u>10</u>	Motion to Compel Filed by Douglas A. Dellaccio on behalf of Larry Duvall. (CO,) (Entered: 11/16/2004)
11/18/2004	● <u>11</u>	Notice of Telephone Hearing Set (RE: related document(s) <u>10</u> Motion to Compel). Hearing scheduled for 12/6/2004 at 10:15 AM at Telephone Hearing. (JV,) (Entered: 11/18/2004)

11/20/2004	● <u>12</u>	BNC Certificate of Service - Telephone Hearing - (RE: related document(s) <u>11</u> Telephone Hearing). No. of Notices: 4. Service Date 11/20/2004. (Admin.) (Entered: 11/21/2004)
12/09/2004	● <u>13</u>	Order Allowing Withdrawal (Motion To Compel/WITHDRAWN) (Related Doc # <u>10</u>) Entered On 12/9/2004. (CO,) (Entered: 12/09/2004)
12/11/2004	● <u>14</u>	BNC Certificate of Service - See Image Attached - (RE: related document(s) <u>13</u> Order on Motion to Compel). No. of Notices: 2. Service Date 12/11/2004. (Admin.) (Entered: 12/12/2004)
01/10/2005	● <u>15</u>	Order Rescheduling Trial Date Entered On 1/10/2005. Trial date set for 4/20/2005 at 11:00 AM at Opelika Federal Courthouse, U.S. Bankruptcy Court. (CO,) (Entered: 01/10/2005)
01/12/2005	● <u>16</u>	BNC Certificate of Service - See Image Attached - (RE: related document(s) <u>15</u> Order to Continue/Reschedule Hearing). No. of Notices: 2. Service Date 01/12/2005. (Admin.) (Entered: 01/13/2005)
02/21/2005	● <u>17</u>	<i>Amended Answer to Complaint</i> Filed by Charles-AMR M. Ingrum Sr. on behalf of Deanna Lee Mann, Scott Alan Mann. (Ingrum, Charles-AMR) (Entered: 02/21/2005)
02/21/2005	● <u>18</u>	Notice of Submission Error (Non-Image Entry) Filed by Charles-AMR M. Ingrum Sr. on behalf of Deanna Lee Mann, Scott Alan Mann (RE: related document(s) <u>17</u> Answer filed by Defendant Scott Alan Mann, Defendant Deanna Lee Mann). (Ingrum, Charles-AMR) (Entered: 02/21/2005)

02/21/2005	● <u>19</u>	Amended Answer to Complaint Filed by Charles-AMR M. Ingram Sr. on behalf of Deanna Lee Mann, Scott Alan Mann. (RE: Related document(s) <u>1</u> , <u>5</u>) (Ingram, Charles-AMR) Modified text on 2/22/2005 (CO,). (Entered: 02/21/2005)
02/21/2005	● <u>20</u>	Certificate of Service <i>for Amended Answer to Complaint</i> Filed by Charles-AMR M. Ingram Sr. on behalf of Deanna Lee Mann, Scott Alan Mann (RE: related document(s) <u>19</u> Answer to Complaint filed by Defendant Scott Alan Mann, Defendant Deanna Lee Mann). (Ingram, Charles-AMR) (Entered: 02/21/2005)
04/13/2005	● <u>21</u>	Motion For Summary Judgment by <i>Debtors/Defendants</i> Filed by Charles-MLW M. Ingram Sr. on behalf of Deanna Lee Mann, Scott Alan Mann. (Attachments: # <u>1</u> Memorqandum Attachment# <u>2</u> Excerpts from Depositions# <u>3</u> Exhibit A# <u>4</u> Exhbit B# <u>5</u> Certificate of Service) (Ingram, Charles-MLW) (Entered: 04/13/2005)
04/19/2005	● <u>22</u>	Motion /Plaintiff's (Larry Duvall) Motion to Strike Defendant's Motion for Summary Judgment Under Rule 56 Filed by Douglas A. Dellaccio on behalf of Larry Duvall (RE: related document(s) <u>21</u> Motion for Summary Judgment, filed by Defendant Scott Alan Mann, Defendant Deanna Lee Mann). (CO,) Modified text on 4/21/2005 (CO,). (Entered: 04/21/2005)
05/05/2005	● <u>23</u>	Order Dismissing Adversary Proceeding (AP# 04-8006) Entered On 5/5/2005 (RE: related document(s) <u>1</u> Complaint, filed by Plaintiff Larry Duvall). (CO,) (Entered: 05/05/2005)

05/05/2005	●	Case could not be closed because Hold 10 days before closing AP. Close Case Follow Up Review due on 5/16/2005. (CO,) (Entered: 05/05/2005)
05/07/2005	● <u>24</u>	BNC Certificate of Service - See Image Attached - (RE: related document(s) <u>23</u> Order Dismissing Case). No. of Notices: 2. Service Date 05/07/2005. (Admin.) (Entered: 05/08/2005)
05/16/2005	●	Adversary Case Closed (AP# 04-08006) (Non-Image Entry). (CO,) (Entered: 05/16/2005)
08/11/2005	● <u>25</u>	MEMORANDUM OPINION Entered On 8/11/2005 (RE: related document(s) <u>1</u> Complaint, filed by Plaintiff Larry Duvall). (CO,) (Entered: 08/11/2005)
08/11/2005	● <u>26</u>	FINAL Judgment Entered On 8/11/2005 (RE: related document(s) <u>25</u> Opinion). (CO,) (Entered: 08/11/2005)
08/13/2005	● <u>27</u>	BNC Certificate of Service - See Image Attached - (RE: related document(s) <u>25</u> Opinion). No. of Notices: 2. Service Date 08/13/2005. (Admin.) (Entered: 08/14/2005)
08/13/2005	● <u>28</u>	BNC Certificate of Service - See Image Attached - (RE: related document(s) <u>26</u> Judgment). No. of Notices: 2. Service Date 08/13/2005. (Admin.) (Entered: 08/14/2005)
08/15/2005		Adversary Case Reopened (SEE CASE No. 04-81017-Order entered 8/12/2005 Entry # <u>24</u>). (CO,) (Entered: 08/15/2005)
08/15/2005	●	Case could not be closed because Holding 10

		days to close AP. Close Case Follow Up Review due on 8/22/2005. (CO,) (Entered: 08/15/2005)
08/19/2005	● <u>29</u>	Notice of Appeal. Fee Amount \$255. Filed by Charles-MLW M. Ingram Sr. on behalf of Deanna Lee Mann, Scott Alan Mann (RE: related document(s) <u>26</u> Judgment). Appellant Designation due by 8/29/2005. Transmission of Designation Due by 9/8/2005. (Ingram, Charles-MLW) (Entered: 08/19/2005)
08/19/2005	30	Receipt of Notice of Appeal(04-08006) [appeal,ntcapl] (255.00) filing fee. Receipt number 1514061, amount \$ 255.00. (U.S. Treasury) (Entered: 08/19/2005)
08/22/2005		Deadlines terminated (Close Case Follow-Up Review - Noticed of Appeal Filed 8/19/2005). (CO,) (Entered: 08/22/2005)
08/22/2005	● <u>31</u>	Notice Service of Notice of Appeal. Civil Action Number: Filed by Charles-AMR M. Ingram Sr. on behalf of Deanna Lee Mann, Scott Alan Mann (RE: related document(s) <u>29</u> Notice of Appeal, filed by Defendant Scott Alan Mann, Defendant Deanna Lee Mann).(Notice served on: Charles M. Ingram, Sr., Douglas A. Dellacio, Esq. and the Bankruptcy Administrator) (CO,) Modified text on 8/22/2005 (CO,). Additional attachment(s) added on 8/22/2005 (CO,). Additional attachment(s) added on 8/22/2005 (CO,). Modified text on 8/22/2005 (CO,). (Entered: 08/22/2005)
08/30/2005		Deadlines terminated (RE: Designation Due from Appellant (Charles Ingram) - Re: Entry # <u>29</u> Notice of Appeal). (CO,) (Entered: 08/30/2005)

08/30/2005

CARemark (Called Atty Ingrum's office 8/30/2005 regarding Designation Due on Appeal - No answer - Left message). (CO,) (Update: Spoke with Debbie Knight on 8/30/2005 she stated that she wrote Mr. Meyer a letter and also called him and Mr. Mann regarding the Designation. Mr. Mann has hired a new atty, Mr. Perry Meyer of Alexander City. I Called and left a message for Mr. Meyer to return my call regarding the Designation of Record - 256-329-9450). **(UPDATE: Mr. Meyer returned my call on 8/30/2005 and stated he was NOT representing Mr. Mann in this Appeal) Modified text on 8/30/2005 (CO,). (Entered: 08/30/2005)**

09/07/2005

● 32

Motion to Withdraw as Attorney Filed by Charles-AMR M. Ingrum Sr. on behalf of Deanna Lee Mann, Scott Alan Mann. (Ingrum, Charles-AMR) (Entered: 09/07/2005)

09/09/2005

Deadlines terminated (Record Due for Transmission on Appeal Re: # 29- Motion to withdraw as attorney filed 9/7/2005). (CO,) (Entered: 09/09/2005)

09/09/2005

● 33

Order Denying Motion To Withdraw As Attorney (Charles M. Ingrum, Sr.) (Related Doc # 32) Entered On 9/9/2005. (CO,) (Entered: 09/09/2005)

09/11/2005

● 34

BNC Certificate of Service - See Image Attached - (RE: related document(s)33 Order on Motion to Withdraw as Attorney). No. of Notices: 2. Service Date 09/11/2005. (Admin.) (Entered: 09/12/2005)